

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Jessi Amanda Black Cloud,	)	
	)	Case No. 1:03-cr-079-01
Defendant.	)	
	)	

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The defendant is charged with violating the terms and conditions of her supervised release. Detention and preliminary hearings were convened on March 1, 2007. AUSA David Hagler appeared on the government's behalf. Assistant Federal Public Defender William Schmidt appeared on the defendant's behalf. United States Probation and Pretrial Services Officer Jessica Johnson provided testimony.

At the outset of the hearings, the defendant advised the court that she waived her right to a preliminary hearing but was contesting the Government's motion for detention. The court accepts the defendant's waiver, finding that it was made knowingly, intelligently, and with the advise of counsel. Based upon the defendant's waiver, the court finds that there is probable cause to believe that an offense has been committed and that the defendant may have committed it. The court therefore **ORDERS** that, pursuant to Rule 32.1 of the Federal Rules of Criminal Procedure, the defendant be bound over to the United States District Court to answer to the charges set forth in the petition for revocation of supervised release. A revocation hearing has been scheduled for March

12, 2007, at 9:00 a.m. before Judge Conmy in Bismarck, North Dakota (Eagle Courtroom). The court will next address the issue of detention.

Rule 32.1 of the Federal Rules of Criminal Procedure states that the burden of establishing that the defendant will not flee or pose a danger to any other person or to the community rests with the defendant. The court finds the defendant has carried her burden. Accordingly, for the reasons articulated during the detention hearing, the Government's Motion for Detention is **DENIED** and the defendant is released subject to the court's Order Setting Conditions of Release.

Dated this 1st day of March, 2007.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge